

IN THE CLAIMS

Would the Office kindly enter the amended claim as follows:

1.(original) A device for protecting a gutter wherein the gutter has a rear wall, a front wall, a bottom wall, said walls defining a trough therebetween, said device comprising:

a mounting member and means for securing said mounting member to said gutter; said means for securing said mounting member to said gutter comprising a securing member having a pair of legs extending downwardly and being designed to be attached to a gutter retaining member extending between said rear side wall and said front wall.

a guard member having an elongated configuration with first and second longitudinally extending sides;

a first side of said guard member being engageable with a first side of said mounting member to prevent substantial vertical movement of said guard member;

said mounting member having a flexible sealing portion extending outwardly in a direction away from said first side of said mounting member for sealing engagement with an adjacent structure; and

said guard member having a substantially planar portion between said first and second sides, said substantially planar portion having a plurality of apertures extending therethrough.

2.(original) The device of Claim 1 wherein said apertures are arranged in diagonal rows extending between said rear side wall and said front wall.

- 3.(original) The device of Claim 1 wherein said apertures are circular in configuration, said apertures having a diameter of between 2.5 and 10 mm.
- 4.(original) The device of Claim 3 wherein said apertures have a diameter of between 3.0 and 4.0 mm.
- 5.(original) The device of Claim 3 wherein said diagonal rows extend at an angle of 45° with respect to said first and second side walls, said apertures forming longitudinally extending rows, said apertures being spaced apart by a distance of between 10 and 15 mm in said longitudinally extending rows.
- 6.(original) The device of Claim 5 wherein said apertures are spaced apart by between 5 and 10 mm in each diagonal row.
- 7.(original) The device of Claim 1 wherein said mounting member has a recess facing said first side of said guard member whereby said first side of said guard member is insertable into said recess and is moveable therein.
- 8.(original) The device of Claim 7 wherein said mounting member has means for retaining said first side of said guard member in said recess.
- 9.(original) The device of Claim 8 wherein said means for retaining said first side comprises a V-shaped member formed within said recess and a cooperating V-shaped member formed on said one side of said guard member.
- 10.(original) The device of Claim 1 wherein said guard member has a vertically extending side wall adjacent said second side thereof.
- 11.(currently amended) In combination, a gutter and a gutter shield device, said gutter having a rear wall, a front wall, and a bottom wall, said rear wall and bottom wall defining an open end trough, said gutter adapted to be attached to a structure by means

of a gutter retaining member extending between said front and rear walls to said structure, and ~~a device for protecting said gutter~~, said gutter shield device comprising:

a mounting member, means for securing said mounting member to said gutter retaining member[[:]] , said means for securing said mounting member to said gutter comprising a securing member having a pair of legs extending downwardly and about said gutter retaining member;

a guard member having an elongated configuration with first and second longitudinally extending sides;

a first side of said guard member being engagable with a first side of said mounting member to prevent substantial movement of said guard member;

said mounting member having a flexible sealing portion extending outwardly in a direction away from said first side of said mounting member for sealing engagement with the structure; and

said guard member having a substantially planar portion between said first and second sides, said substantially planar portion having a plurality of apertures extending therethrough.

12.(original) The combination of Claim 11 wherein said mounting member has a recess facing said first side of said gutter member whereby said first side of said guard member is insertable into said recess and is moveable therein.

13.(original) The device of Claim 11 wherein said guard member has a vertically extending side wall adjacent said second side thereof.

14.(original) A device for protecting a gutter wherein the gutter has a rear wall, a front wall, and a bottom wall, said walls defining a trough therebetween, said device

comprising:

- a mounting member, means for securing said mounting member to said gutter;
- a guard member having an elongated configuration with first and second longitudinally extending sides;
 - a first side of said guard member having a channel extending there along;
 - said guard member having a substantially planar portion between said first and second sides, said substantially planar portion having a plurality of apertures extending therethrough; and
 - a flexible sealing portion extending outwardly in a direction away from said first side of said guard member for sealing engagement with an adjacent structure, said sealing member being retained within said channel formed at said first side of said guard member.